

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS**

**TYLER DIVISION**

**DATE:** April 19, 2010

**JUDGE**  
LEONARD DAVIS

**COURT REPORTER**  
Shea Sloan

**Law Clerks:** Natalie Alfaro

<b>SOVERAIN SOFTWARE, LLC</b>  <b>vs.</b>  <b>NEWEGG, INC. LTD</b>	<b>CIVIL ACTION NO: 6:07-CV-511</b>  <b>JURY SELECTION</b>
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ATTORNEYS FOR PLAINTIFF	ATTORNEYS FOR DEFENDANTS
Carl Roth (Roth Firm) Brendan Roth (Roth) Amanda Abraham (Roth) Tom Giannetti (Jones Day) Michael Smith (Siebman Reynolds) Katherine Wolanyk - Client Representative	Dick Sayles (Sayles Werbner) Mark Strachan (Sayles) Kent Baldauf (The Webb Lawfirm) Mira Wolff (Newegg) Lee Cheng (Newegg)

On this day, came the parties by their attorneys and the following proceedings were had:

OPEN: 9:45 am

ADJOURN: 12:05 pm

9:45 am	Jury panel seated in the Courtroom.
	Court addressed panel and welcomed them to Jury service. Court outlined the process of jury selection and the schedule of the case.
	Court gave the panel a brief overview of the trial of the case.
	Court conducted voir dire.
	Mr. Roth conducted voir dire on behalf of the plaintiff.
	Mr. Sayles conducted voir dire on behalf of the defendant.
	Court continued with voir dire of the jury panel.
	Court asked counsel to approach the bench. (Bench Conference held).
	Court addressed the panel and will allow them to go on break until 11:35 a.m. Court gave the panel some instructions.

**DAVID J. MALAND, CLERK**

**FILED: 4.19.2010**

BY: Rosa L. Ferguson , Courtroom Deputy

11:20 am	Court in recess for 15 minutes.
11:35 am	<b>Jury panel seated in the courtroom.</b>
	Court asked Clerk to read the names of the Jurors selected.
	Mr. Sayles asked to approach the bench. (Bench Conference held – Mr. Sayles indicated that they had stricken Juror #10 and he was on the Jury. Court asked Clerk to approach. Clerk missed Defendant's Strike on Juror #10). Court asked the panel to be in short recess).
11:45 am	Jury Panel not seated in the courtroom. Court addressed the parties and verified that he had excused Juror #1, 2, 17, 22 & 24. However, when Court re-read the list, the Court inadvertently read Juror #19, instead of #17. Court will give the strike lists back and allow the parties to re-strike.
	Mr. Roth addressed the Court on the strikes the parties now know who they have stricken. Mr. Roth suggested that 19 be excused and just go on to the next available juror. Parties agreed. Court verified that the Jury will be comprised of Juror #3, 6, 8, 9, 12, 14, 15 and 20.
	<b>Jury Panel seated in the courtroom.</b>
	Court asked Clerk to read again the names of the Juror selected. Names called of the 8 jurors.
	Court asked Clerk to administer the oath to the Jury. Jury sworn.
	Court gave the jury some preliminary instructions. Court informed panel that the trial would commence on Monday, April 26, 2010. Court asked to check the 1-800 number on Sunday evening.
	Court addressed the Jury thanked them for their service. Court excused the jury.
	Court addressed the parties regarding pretrial matters and will take them up after lunch.
	Court thanked the remaining jury panel member and excused them.
12:05 pm.	Court in recess until 1:30 pm.